

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA

RECEIVED

In re:  
Atheal Pierce  
Debtor

2006 MAY -8 P 3: 55  
Case No. 05-31205  
Chapter 13  
DEENA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

TRANSMITTAL OF APPEAL

I do hereby certify that the documents herein comprise the items in the designation of contents related to the Notice of Appeal filed in the above referenced case.

Transmittal Submitted On: May 8, 2006

2:06CV414-WKW

Notice of Appeal Filed: April 21, 2006

**Contents of Record:**

**Designated Items of Appellant\*:**

1. Debtor's Chapter 13 Voluntary Petition [Doc #1].
2. Pierce's Request for Dismissal with Third Filing Asserted [Doc#63].
3. Pierce's Motion for Fraud [Doc#92, Doc#100].
4. Pierce's Motion for Reinstatement of Case [Doc#96].
5. Judge Williams Order in April, 2006 [Doc#102, Doc#103].
6. Pierce's Notice of Appeal [Doc #106]

\*The appellant's Designation of Record was not specific as to docket entries or descriptions of documents. The documents attached are the clerk's best guess as to the appellants intended documents to be included in the record.

**Designated Items of Appellee:**

1. Debtor's Chapter 13 Voluntary Petition [Doc #1].
2. Clerk's Notice of Deficiency: Missing Summary of Schedules & Chapter 13 Plan [Doc 3].
3. Debtors' Declaration of Summary and Schedules [Doc #9].
4. Debtors' Chapter 13 Plan [Doc #10].
5. Motion for Relief from Stay for American General Finance [Doc #18].
6. Debtor's Amended Petition & Schedules [Doc #24].
7. Debtor's Chapter 13 Plan [Doc #25].
8. Debtor's Amended/Modified Chapter 13 Plan [Doc #29].
9. Clerk's Notice of Rescheduled Confirmation Hearing [Doc #34].
10. Debtor's Amended/Modified Chapter 13 Plan [Doc #35].
11. Debtor's Amended Petition, Summary of Schedules, Schedules & Declaration, Statement of Financial Affairs and Attorney's Disclosure Statement & Matrix [Doc #36].
12. Motion to Set Hearing filed by Britt Griggs, Parnell & Crum, on behalf of American General Finance [Doc #40].
13. Clerk's Notice of Hearing on Motion for Relief from Stay [Doc #43].

14. Debtor's Objection to Motion to Lift Stay [Doc #45].
15. Debtor's Objection to Motion For Relief From Stay [Doc #46].
16. Clerk's Rescheduled §341 Meeting of Creditors Chapter 13 and Notice of Confirmation Hearing [Doc #47].
17. Court's Order Rescheduling Meeting of Creditors/Order continuing Confirmation Hearing [Doc #48].
18. Court's Order Conditionally Granting Motion For Relief From stay [Doc #52].
19. Debtor's Motion to Reconsider Order on Motion to Lift Stay [Doc #55].
20. Clerk's Notice of Hearing on Motion to Reconsider Motion to Lift Stay [Doc #57].
21. Debtor's Notice of Request For Dismissal [Doc #63].
22. Court's Order Dismissing Chapter 13 Bankruptcy Case and Order Prohibiting Refiling Another Bankruptcy Case for 180 Days [Doc #66].
23. Debtor's 1st Notice of Appeal [Doc #73].
24. Clerk's Notice of Deficiency re Debtor's Notice of Appeal [Doc #74].
25. Opinion and Judgment by District Court Judge Myron Thompson Affirming Appealed Order of Bankruptcy Court [Doc #95].
26. Debtor's Motion to Reinstate Case [Doc #96].
27. Clerk's Notice of Hearing on Motion to Reinstate Case [Doc #97].
28. Trustee's Objection to Debtor's Motion to Continue the Open Status of the Case and Trustee's Response to Motion to Withdraw Request for Dismissal and for Reinstatement of Third Petition [Doc #99].
29. Debtor Response to Trustee Motion to Continue the Open Status of the Case [Doc #100].
30. Memorandum Decision/Opinion [Doc #102].
31. Order Denying Motion to Reinstate Case [Doc #103].
32. Debtor's 2nd Notice of Appeal [Doc #106].
33. Clerk's Notice of Deficiency on Debtor's Notice of Appeal [Doc #107].
34. Debtor/Appellant's Motion to Proceed without the Prepayment of Fees [Doc #112].
35. Trustee's Response to Debtor's Motion to Proceed [Doc #116].
36. Copy of the Bankruptcy Court's Docket Sheet for the Chapter 13 Case 05-31205.
37. District Court's Docket in the Appeal 05-1014.
38. District Court's Order Dismissing the Appeal to 11th Circuit as a Bad Faith Appeal.
39. Notice from the United States Court of Appeals 11th Circuit dated March 28, 2006, on the in forma pauperis status.

**Remarks:**

Filing has not been paid (\$255.00). There is a pending *Appellant's Motion To Proceed Without The Pre Payment Of Fees* [Doc 112]. By order of the Bankruptcy Court, the motion has been transmitted to District Court [Doc#115]. The trustee has filed a response to the motion [Doc#116].

Transcripts received: None requested.

**PLEASE RETURN A "RECEIVED" STAMPED COPY OF THIS SUBMISSION SHEET**

FROM: /s/ Richard S. Oda, Clerk  
United States Bankruptcy Court  
Middle District of Alabama